

UNITED STATES OF AMERICA

IN THE DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN

RICHARD AHO,

Plaintiff,

Case No. 2:16-mc-4

v

HON. GORDON J. QUIST

MARQUETTE COUNTY SOLID
WASTE MANAGEMENT AUTHORITY,

Defendant.

Richard Aho
In pro per
(906) 361-0185
UPCoSW@charter.net

Daniel W. White P27738
White and Wojda
313 N. Second Avenue
Alpena, MI 49707
(989) 354-4104
mjwojda@dwwhitelaw.com

ORDER

Plaintiff Richard Aho (“Aho”) was terminated by Defendant Marquette County Solid Waste Management Authority (“the Authority”) on January 7, 2015. Pursuant to his employment agreement with the Authority, any claims for wrongful or illegal termination were subject to arbitration through the American Arbitration Association (“AAA”). Accordingly, Aho brought the following claims against the Authority in AAA Case No. 01-15-0002-8787:

- Termination without just cause under his Employment Agreement;
- Termination in violation of the Americans with Disabilities Act (“ADA”);

- Termination in violation of the Michigan Persons with Disabilities Civil Rights Act (“PWDCRA”);
- Termination in violation of the Age Discrimination in Employment Act of 1967 (“ADEA”); and
- Age discrimination in violation of Michigan’s Elliott-Larsen Civil Rights Act (“ELCRA”).

The matter was litigated before Arbitrator Karen S. Kienbaum. The Authority was granted a directed verdict as to Aho’s Federal and State claims for discrimination based on age or disability pursuant to an Opinion and Interim Award dated June 20, 2016. In the Arbitrator’s Award dated September 7, 2016, the Arbitrator found no cause of action with regard to Aho’s sole remaining claim of termination without just cause.

In addition to these findings, the Arbitrator sanctioned Aho in the amount of \$500.00 in an April 19, 2016 Interim Hearing Status Report. The Arbitrator also found that, through the employment agreement, the parties had agreed to equally bear the costs of arbitration. Accordingly, in her September 7, 2016 Award, the Arbitrator ordered Defendant to reimburse Aho \$1,500.00, which represented half of his \$3,000.00 filing fee.

Pursuant to AAA’s rules and the provisions of the Arbitrator’s Award, the results of the arbitration may be entered in any court of competent jurisdiction. As some of Aho’s claims involve federal issues and as both Plaintiff and Defendant are located within the Western District of Michigan, this Court finds that jurisdiction is appropriate. Therefore, it is hereby ordered as follows:

- Judgment shall enter as to each of the Counts below as follows:
 - Termination without just cause: **No Cause Of Action;**

- Violation of ADA: **No Cause Of Action;**
- Violation of PWDCRA: **No Cause Of Action;**
- Violation of ADEA: **No Cause Of Action;**
- Violation of ELCRA: **No Cause Of Action;**
- The Authority shall reimburse Aho in the amount of \$1,000.00 (the \$1,500.00 filing fee less \$500.00 in sanctions owed to the Authority).

This resolves the last pending matter and closes the case. IT IS SO ORDERED.

Dated: November 1, 2016

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE